



**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
MARTIN EDWARD RODARTE, )  
 )  
Defendant. )

2:11-CR-230-GMN (CWH)

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on January 26, 2012, defendant MARTIN EDWARD RODARTE pled guilty to Count Five of a Six-Count Criminal Indictment charging him with Receipt of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(2).

This Court finds defendant MARTIN EDWARD RODARTE agreed to the forfeiture of the property set forth in the Forfeiture Allegation of the Criminal Indictment, the Plea Agreement, and the Bill of Particulars. Docket #1, #20.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment, the Bill of Particulars and the Plea Memorandum and the offense to which defendant MARTIN EDWARD RODARTE pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Sections 2253(a)(1) and (a)(3):

...

- 1 a) all visual depictions described in Title 18, United States Code, Sections 2251,
- 2 2252, and 2252A;
- 3 b) all items containing such visual depictions, which were transported, shipped
- 4 and received in violation of Title 18, United States Code, Section 2252A;
- 5 c) all property, real or personal, used or intended to be used to commit or to
- 6 promote the commission of such offense or any property traceable to such
- 7 property, including but not limited to computer images, including movie files,
- 8 depicting a minor engaging in sexually explicit conduct and the diskettes and
- 9 hard drives on which they are maintained;
- 10 d) Gateway desktop computer, bearing serial number 0028474537;
- 11 e) LG cellular phone, bearing serial number 903KPAE620336;
- 12 f) Attache 4GB thumb drive, serial number unknown; and
- 13 g) Sony 2GB memory stick pro duo, bearing serial number
- 14 D602L5LFBSC2000000 ("property").

15 This Court finds the United States of America is now entitled to, and should, reduce the  
16 aforementioned property to the possession of the United States of America.

17 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
18 United States of America should seize the aforementioned property.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
20 MARTIN EDWARD RODARTE in the aforementioned property is forfeited and is vested in the  
21 United States of America and shall be safely held by the United States of America until further order  
22 of the Court.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
24 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
25 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
26 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state

1 the name and contact information for the government attorney to be served with the petition,  
2 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be  
4 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
6 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
7 following address at the time of filing:

8 Michael A. Humphreys  
Assistant United States Attorney  
9 Daniel D. Hollingsworth  
Assistant United States Attorney  
10 Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
11 Las Vegas, Nevada 89101

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
13 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
14 following publication of notice of seizure and intent to administratively forfeit the above-described  
15 property.

16 DATED this 26 day of January, 2012.

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UNITED STATES DISTRICT JUDGE  
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